

WEDNESDAY, MARCH 8, 1995

SEVENTEENTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by the Reverend Wayne Bartley, Happy Haven Home, Cookeville, Tennessee.

Representative Hargrove led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present . . . . . 99

Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, Deberry J, Deberry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Jones U (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

MESSAGE FROM THE SENATE  
March 7, 1995

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 57; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE  
March 7, 1995

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 51, 52, and 896; also, House Joint Resolution(s) No(s). 72, 75, 76, 77, 79, 87, 95, 111 and 126; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**  
**March 7, 1995**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 122; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**  
**March 7, 1995**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 268, 708, 955, 1481 and 1691; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**\*Senate Bill No. 268 -- Medical Occupations - Adds physician assistant to advisory board to primary health care centers who may be appointed from list of 3 nominees submitted by Tennessee Academy of Physician Assistants. Amends TCA 68-1-701. by \*Womack.**

**Senate Bill No. 708 -- Emergency Communications Districts - Permits municipal legislative body to form 911 or emergency communication district boards; permits municipal representation on existing county 911 boards. Amends TCA Title 7, Chapter 86, Part 1. by \*Crowe.**

**\*Senate Bill No. 955 -- Public Funds and Financing - Removes requirement that county legislative body must approve appropriation to nonprofit organization which is not charitable organization at two consecutive regularly scheduled meetings. Amends TCA5-9-109. by \*Rochelle.**

**\*Senate Bill No. 1481 -- Public Buildings - Revises Public Building Authority law to permit certain operating contracts. Amends TCA Title 12, Chapter 10. by \*Atchley, \*Gilbert.**

**\*Senate Bill No. 1691 -- Economic and Community Development, Dept. of - Appropriates \$10.3 million to department of economic and community development, Tennessee Industrial Infrastructure Program. by \*Rochelle, \*Crowe.**

**MESSAGE FROM THE SENATE**  
**March 7, 1995**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 22, 70, 72, 75, 76, 77 and 78; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**\*Senate Joint Resolution No. 22 -- Memorials, Congress - Urges repeal of federal mandate for states' passage of state laws requiring use of motorcycle helmets and safety belts. by \*Henry, \*Cohen.**

**Senate Joint Resolution No. 70 -- Memorials, Retirement - Dorcie Lee Yates. by \*Hamilton.**

**Senate Joint Resolution No. 72 -- Memorials, Death - Floyd C. Porter. by \*Koella.**

**Senate Joint Resolution No. 75** -- Memorials, Retirement - Samuel R. Bacon, U.S. Department of Agriculture. by \*Burks.

**Senate Joint Resolution No. 76** -- Memorials, Death - Dr. Douglas D. Paschall, Headmaster of Montgomery Bell Academy. by \*Henry.

**Senate Joint Resolution No. 77** -- Memorials, Personal Occasion - Robert and Bertha Brace, 50th wedding anniversary. by \*Rochelle.

**Senate Joint Resolution No. 78** -- Memorials, Death - Doug Underwood, Nashville, publisher of Westview. by \*Henry, \*Haynes.

**MESSAGE FROM THE SENATE**  
**March 7, 1995**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 11 and 985; also Senate Joint Resolution(s) No(s). 61, 62, 63, 64, 65, 66, 68, 81 and 86; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**  
**March 7, 1995**

The following bill(s) have been transmitted to the Governor for his action: House Bill(s) No(s). 51, 52 and 896; also House Joint Resolution(s) No(s). 72, 75, 76, 77, 79, 87, 95, 111 and 126.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**  
**March 7, 1995**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1135; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**  
**March 7, 1995**

The following bill(s) have been transmitted to the Governor for his action: House Bill(s) No(s). 1135.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENROLLED BILLS**  
**March 7, 1995**

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 485, 892, 1135, 1174, 1240, and 1275; also, House Joint Resolution(s) No(s). 92, 93, 94, 100, 101, 102, 103, 104, 105, 112 and 122.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**  
**March 7, 1995**

The Speaker signed the following: House Bill(s) No(s). 485, 892, 1135, 1174, 1240 and 1275; House Joint Resolution(s) No(s). 92, 93, 94, 100, 101, 102, 103, 104, 105, 112 and 122.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**

**March 7, 1995**

The Speaker signed the following: Senate Bill(s) No(s). 11, 57 and 985; also, Senate Joint Resolution(s) No(s). 61, 62, 63, 64, 65, 66, 68, 81 and 86.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 38:** Rep(s). Givens, Cross and Williams (Union) as prime sponsor(s).

**House Bill No. 88:** Rep(s). Walley, Cross, Callicott, Fowlkes, Jones S, Boyer and Ritchie as prime sponsor(s).

**INTRODUCTION OF RESOLUTIONS**

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

**House Joint Resolution No. 133** -- Naming and Designating - Designates Margaret "Maggi" Britton Vaughn as Poet Laureate of Tennessee. by \*Phillips, \*Robinson.

State and Local Government Committee

**\*House Joint Resolution No. 135** -- Constitutional Amendments - Proposes amendment to Article I of Constitution to establish certain constitutional rights to which victims of crime are entitled and to remove requirement that prisons be comfortable. by \*Buck \*Pinion.

Judiciary Committee

**House Joint Resolution No. 143** -- Memorials, Public Service - Voluntary programs that protect water quality. by \*Napier.

Agriculture Committee

**RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for March 9, 1995:

**House Resolution No. 22** -- Memorials, Professional Achievement - Wallace D. Alley, Sr., IME Magazine Quality Dealer Award finalist. by \*Westmoreland.

House Resolution No. 23 -- Memorials, Public Service - R. Larry Smith, service to Knox County. by \*Boyer.

House Resolution No. 24 -- Memorials, Professional Achievement - Timothy Hamilton. by \*Pruitt.

House Joint Resolution No. 136 -- Memorials, Recognition and Thanks - Black Fox Elementary School Bands. by \*Bragg, \*Eckles.

House Joint Resolution No. 137 -- Memorials, Academic Achievement - Cason Lane Academy Quiz Bowl Team. by \*Bragg, \*Eckles.

House Joint Resolution No. 138 -- Memorials, Sports - Black Fox School's Hot Shots Fitness Teams. by \*Bragg, \*Eckles

House Joint Resolution No. 139 -- Memorials, Retirement - Betty Carole Hardcastle. by \*McDonald.

House Joint Resolution No. 140 -- Memorials, Retirement - Chief Norman Mayo. by \*Davidson.

House Joint Resolution No. 142 -- Memorials, Academic Achievement - Emily Harrison, State Beta competition winner. by \*Ford S.

House Joint Resolution No. 144 -- Naming and Designating - World War II veterans on 50th anniversary of conclusion of war; designates 1995, "World War II Veterans Appreciation Year." by \*Walley.

House Joint Resolution No. 146 -- Memorials, Sports - David Blackstock, Union University Lady Bulldogs, TCCC Coach of the Year. by \*Kisber.

SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)

Pursuant to Rule No. 17, the resolution(s) listed was/were noted as being placed on the Consent Calendar for March 9, 1995:

Senate Joint Resolution No. 70 -- Memorials, Retirement - Dorcie Lee Yates. by \*Hamilton.

Senate Joint Resolution No. 72 -- Memorials, Death - Floyd C. Porter. by \*Koella.

Senate Joint Resolution No. 73 -- Memorials, Sports - Cleveland High School football team TSSAA Class 4-A state champions. by \*Miller J.

Senate Joint Resolution No. 75 -- Memorials, Retirement - Samuel R. Bacon, U.S. Department of Agriculture. by \*Burks.

Senate Joint Resolution No. 76 -- Memorials, Death - Dr. Douglas D. Paschall, Headmaster of Montgomery Bell Academy. by \*Henry.

Senate Joint Resolution No. 77 -- Memorials, Personal Occasion - Robert and Bertha Brace, 50th wedding anniversary. by \*Rochelle.

**Senate Joint Resolution No. 78** -- Memorials, Death - Doug Underwood, Nashville, publisher of Westview. by \*Henry, \*Haynes.

**Senate Joint Resolution No. 79** -- Memorials, Personal Achievement - Cameron Jackson Burnette, Eagle Scout. by \*Miller J.

**Senate Joint Resolution No. 80** -- Memorials, Personal Achievement - Matthew Eugene Beeken; Eagle Scout. by \*Miller J.

#### RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

**\*Senate Joint Resolution No. 22** -- Memorials, Congress - Urges repeal of federal mandate for states' passage of state laws requiring use of motorcycle helmets and safety belts. by \*Henry, \*Cohen.

Judiciary Committee

#### INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 1836** -- Kingsport -- Subject to local approval, authorizes electronic voting by members of board of mayor and aldermen. Amends Chapter 76, Private Acts of 1917, as amended. by \*Westmoreland, \*McDaniel.

#### DELAYED BILLS REFERRED

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 1837 and 1839 was/were referred to the Delayed Bills Committee.

**\*House Bill No. 1837** -- Utilities, Utility Districts -- Authorizes referendum of customers to approve increasing per diem for board of Huntsville Utility District, Scott County to \$250 from \$100 to be paid for not more than 12 meetings a year. Amends TCA 7-82-308. by \*Winningham.

**House Bill No. 1839** -- Perry County -- Subject to local approval, designates circuit court clerk as clerk of general sessions court when general sessions court exercises juvenile jurisdiction; relieves county clerk of duties. by \*Peach.

#### SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill:

**\*Senate Bill No. 268** -- Medical Occupations - Adds physician assistant to advisory board to primary health care centers who may be

appointed from list of 3 nominees submitted by Tennessee Academy of Physician Assistants. Amends TCA 68-1-701. by \*Womack.

**Senate Bill No. 708** -- Emergency Communications Districts - Permits municipal legislative body to form 911 or emergency communication district boards; permits municipal representation on existing county 911 boards. Amends TCA Title 7, Chapter 86, Part 1. by \*Crowe.

**\*Senate Bill No. 955** -- Public Funds and Financing - Removes requirement that county legislative body must approve appropriation to nonprofit organization which is not charitable organization at two consecutive regularly scheduled meetings. Amends TCA5-9-109. by \*Rochelle.

**\*Senate Bill No. 1481** -- Public Buildings - Revises Public Building Authority law to permit certain operating contracts. Amends TCA Title 12, Chapter 10. by \*Atchley, \*Gilbert.

**\*Senate Bill No. 1691** -- Economic and Community Development, Dept. of - Appropriates \$10.3 million to department of economic and community development, Tennessee Industrial Infrastructure Program. by \*Rochelle, \*Crowe.

#### HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 1834** -- Baileyton -- Local Bill on House Desk

Pursuant to **Rule No. 47**, the following Caption Bill(s) held on the Clerk's desk were referred to the following Committee(s):

**House Bill No. 1465** -- Managed Care Organizations -- House Commerce Committee

**House Bill No. 1705** -- Medical Occupations -- House Health and Human Resources Committee

#### REPORTS FROM STANDING COMMITTEES

The committees that met on **March 7, 1995** reported the following:

##### COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **March 8, 1995**: House Bill(s) No(s). 975, 156, 683, 287, 948, 341, 88, 38 and 153.

The Committee set the following bills on the **Regular Calendar** for **March 9, 1995**: House Bill(s) No(s). 782, 621, 622, 352 and 193.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **March 8, 1995**: House Bill(s) No(s). 297, 224, 39, 149, 161, 1146 and 356; also House Joint Resolution(s) No(s). 20.

#### AGRICULTURE

The Agriculture Committee recommended for passage: House Bill(s) No(s). 321 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

#### COMMERCE

The Commerce Committee recommends for passage: House Bill(s) No(s). 1180 and 1032; also House Bill(s) No(s). 693 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

#### EDUCATION

The Education Committee recommended for passage: House Bill(s) No(s). 350 and 1211; also House Bill(s) No(s). 1234 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 310. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

#### FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 894, 684, 967, 1700, 938 and 1509; also House Bill(s) No(s). 1069 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

#### GOVERNMENT OPERATIONS

The Government Operations Committee recommended for passage: House Bill(s) No(s). 457, 448, 439 and 435. Under the rules, each was transmitted to the Calendar and Rules Committee.

#### HEALTH AND HUMAN RESOURCES

The Health and Human Resources Committee recommended for passage: House Bill(s) No(s). 592 and 849; also House Bill(s) No(s). 530 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

#### STATE AND LOCAL GOVERNMENT

The State and Local Government Committee recommended for passage: House Bill(s) No(s). 489, 1023, 1024, 667, 665, 278 and 42; House Joint Resolution(s) No(s). 66; also, House Bill(s) No(s). 303, 1619, 152 and 364 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

#### REPORTS FROM STANDING COMMITTEES

The committees that met on **March 8, 1995** reported the following:

#### COMMITTEE ON CALENDAR AND RULES



The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar for March 13, 1995**: House Bill(s) No(s). 285, 3, 340, 162, 62, 63, 492, 578, 348, 598 and 121.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar for March 13, 1995**: House Bill(s) No(s). 174, 408, 409, 1097, 135, 136, 1006, 1008, 1009 and 501; also House Joint Resolution(s) No(s). 56 and Senate Joint Resolution(s) No(s). 57.

#### CONSERVATION AND ENVIRONMENT

The Conservation and Environment Committee recommended for passage: House Bill(s) No(s). 868; also House Bill(s) No(s). 103 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

#### JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 330, 172, 171, 366, 34, 226, 961, 1194 and 1372; also House Bill(s) No(s). 497 and 891 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 35; also House Bill(s) No(s). 508 and 137 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

#### TRANSPORTATION

The Transportation Committee recommended for passage: House Bill(s) No(s). 606, 1439, 616, 1305, 1130 and 1237. Under the rules, each was transmitted to the Calendar and Rules Committee.

#### CONSENT CALENDAR

**House Joint Resolution No. 134** -- Memorials, Academic Achievement - Dean Howell; Beta Club. by \*Ford, S.

**\*House Bill No. 297** -- Apportionment, Legislative - Transfers City of Berry Hill in Davidson County from Senate District 19 to Senate District 21. Amends TCA Section 3-1-102. by \*Pruitt, \*Purcell (SB443 by \*Henry, \*Harper).

**\*House Bill No. 224** -- Intergovernmental Relations - Permits incorporated rescue squads that are not wholly supported by public funds to participate in interlocal agreements. Amends TCA Section 12-9-103. by \*Westmoreland (SB430 by Holcomb).

On motion House Bill No. 224 was made to conform with **Senate Bill No. 430**; the Senate Bill was substituted for the House Bill.

**\*House Bill No. 39** -- Taxes, Real Property - Permits retired persons over 65 and living on fixed income in Hamilton County to pay real estate taxes in quarterly installments. Amends TCA 67-5-1807. by \*Stulce, \*Williams (Williamson), \*Rigsby, \*Lewis, \*Pinion (SB137 by \*Crutchfield).

**House Bill No. 149** -- Highway Signs - "Chattanooga V.A. National Cemetery," I-24 and I-124 (U.S. 27). by \*Stulce (\*SB144 by \*Crutchfield).

**House Bill No. 161** -- Highway Signs - Cheekwood, I-40 and Highway 100, Davidson County. by \*Robinson, \*Langster, \*Garrett, \*Jones, S., \*Arriola, \*West, \*Pruitt, \*Odom (SB264 by \*Henry).

**House Bill No. 1146** -- Motor Vehicles, Titling and Registration - Permits issuance of Purple Heart special license plates to qualified disabled veterans in lieu of disabled veteran special plates. Amends TCA Section 55-4-237 and Section 55-4-239. by \*Robinson (SB1575 by \*Haun).

**House Joint Resolution No. 20** -- General Assembly, Statement of Intent or Position - Encourages employers to permit certain local officials to attend their official meetings without adverse consequences for the official. by \*Buck, \*Winningham.

**House Bill No. 356** -- District Attorneys -- Creates additional secretarial position in 15th judicial district. Amends TCA 162-506. - by \*Buck, \*Winningham, \*Bell (SB625 by \*Rochelle).

**OBJECTION -- CONSENT CALENDAR**

Objection(s) was/were filed to the following on the Consent Calendar:

**House Bill No. 356:** by Rep. Buck.

Under the rules, House Bill No. 356 was/were placed at the foot of the calendar for March 9, 1995.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	99
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, Deberry J, Deberry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Jones U (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson,

Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

**REGULAR CALENDAR**

**\*House Bill No. 1829** -- Henderson - Subject to local approval, authorizes hotel/motel tax. by \*Walley (SB1817 by \*Wildner).

Further consideration of House Bill No. 1829, previously considered on March 6, 1995, at which time it was objected to on the Consent Calendar and reset for today's Calendar.

On motion, Rep. Walley moved that House Bill No. 1829 be reset to the Calendar for April 5, 1995, which motion prevailed.

**House Joint Resolution No. 131** -- Memorials, Public Service - Senator Edward Davis. by \*Bowers, \*Brooks, \*Jones R (Shelby), \*Chumney, \*DeBerry L, \*Towns, \*DeBerry J, \*Miller L, \*Kernell, \*Kent, \*Joyce, \*Hassell, \*Haley, \*Byrd, \*Turner (Shelby), \*Jones U (Shelby), \*Shirley, \*Armstrong.

Further consideration of House Joint Resolution No. 131, previously considered on March 6, 1995, at which time it was objected to on the Consent Calendar and reset to today's Calendar.

On motion, Rep. Bowers moved that House Joint Resolution No. 131 be reset for the Calendar for March 22, 1995, which motion prevailed.

**House Bill No. 83** -- Motor Vehicles, Titling and Registration - Permits alumnus of Auburn University to purchase special license plate displaying Auburn logo and colors. Amends TCA Title 55, Chapter 4. by \*Eckles (\*SB52 by \*Womack).

Further consideration of House Bill No. 83, previously considered on March 6, 1995, at which time it was reset to today's Calendar.

Rep. Eckles moved that House Bill No. 83 be reset for the Calendar for March 22, 1995, which motion prevailed.

**House Bill No. 975** -- Alcoholic Beverages - Adds Stonehenge Golf Club located in Fairfield Glade as "premier type tourist resort" which enables such resort to allow consumption of alcoholic beverages on the premises. Amends TCA 57-4-102(17). by \*Duer, \*Curtiss, \*Hargrove (\*SB597 by \*O'Brien, \*Cooper, \*Elsea, \*Rice, \*Haun).

On motion, House Bill No. 975 was made to conform with **Senate Bill No. 597**; the Senate Bill was substituted for the House Bill.

Rep. Duer moved that **Senate Bill No. 597** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .70  
.. . . .

Noes. . . . .16  
Present and not voting. . . . .11

Representatives voting aye were: Armstrong, Arriola, Bell, Bittle, Bowers, Boyer, Bragg, Brown, Buck, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, Deberry J, Deberry L, Duer, Fitzhugh, Ford, Fowlkes, Garrett, Halteman Harwell, Hargrove, Hassell, Head, Hicks, Huskey, Jones R (Shelby), Jones S, Jones U (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, McKee, McMillan, Miller, Napier, Newton, Odum, Patton, Peach, Phelan, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, West, Westmoreland, Whitson, Williams (Williamson), Mr. Speaker Naifeh --70.

Representatives voting no were: Beavers, Burchett, Byrd, Dunn, Haley, Herron, McAfee, McDaniel, Phillips, Roach, Sharp, Walley, White, Williams (Union), Wood -- 16.

Representatives present and not voting were: Brooks, Eckles, Gunnels, Jackson, Lewis, McDonald, Pinion, Ramsey, Ritchie, Shirley, Windle --11.

A motion to reconsider was tabled.

**House Bill No. 156** -- Wildlife Resources Commission - Adds two additional members to commission to be appointed by speakers of house and senate to serve two year terms, may succeed themselves. Amends TCA 70-1-201, 204. by \*Rhinehart (\*SB95 by \*Hamilton).

On motion, House Bill No. 156 was made to conform with **Senate Bill No. 95**; the Senate Bill was substituted for the House Bill.

Rep. Rhinehart moved that Senate Bill No. 95 be passed on third and final consideration.

Rep. Napier moved adoption of Conservation and Environment Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 95 by deleting the third sentence of the amendatory language of subdivision (5)(e) in Section 2 of the printed bill, and by substituting instead the following new language:

Commissioners appointed by the speakers shall be eligible for reappointment, but shall be limited to two (2) consecutive terms of office.

On motion, Amendment No. 1 was adopted.

Rep. Shirley moved adoption of Amendment No. 2 as follows:

**Amendment No. 2.**

AMEND Senate Bill No. 95 by adding the following new subsection (6) to Section 2:

(6) Provided, however, that appointments made by the speakers shall be from different grand divisions of the state.

Rep. Rhinehart moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes	66
Noes	26
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Bell, Bittle, Bowers, Boyer, Bragg, Buck, Byrd, Chumney, Cole (Carter), Cole (Dyer), Cross, Davidson, Davis, Deberry J, Deberry L, Duer, Eckles, Fitzhugh, Fowlkes, Garrett, Givens, Halteman Harwell, Hargrove, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Kent, Kernell, Kisber, Langster, Lewis, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Odom, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Stamps, Stulce, Tindell, Turner (Hamilton), Turner (Shelby), West, White, Whitson, Williams (Williamson), Windle, Winningham, Mr. Speaker Naifeh -- 66.

Representatives voting no were: Beavers, Bird, Burchett, Callicott, Cantrell, Clabough, Coffey, Dunn, Ford, Gunnels, Haley, Hassell, Joyce, Kerr, Newton, Patton, Peach, Ramsey, Roach, Sharp, Shirley, Towns, Venable, Westmoreland, Williams (Union), Wood -- 26.

Representatives present and not voting were: Brown -- 1.

Rep. Beavers moved adoption of Amendment No. 3 as follows:

### Amendment No. 3

AMEND Senate Bill No. 95 by adding the following subsection  
(7) to Section 1:

(7) by adding the following sentence to subsection  
(a):

Provided, however, that at least two (2) people serving on the commission shall be female.

Rep. Rhinehart moved that Amendment No. 3 be tabled, which motion failed by the following vote:

Ayes	9
Noes	73
Present and not voting	8

Representatives voting aye were: Bell, Bowers, Cole (Carter), Fitzhugh, Herron, Kent, McKee, Rhinehart, Stulce -- 9.

Representatives voting no were: Armstrong, Arriola, Beavers, Bird, Bittle, Boyer, Brooks, Brown, Burchett, Byrd, Callicott,

Cantrell, Chumney, Clabough, Coffey, Cole (Dyer), Cross, Curtiss, Davidson, Deberry J, Duer, Dunn, Eckles, Ford, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hassell, Hicks, Huskey, Jones S, Joyce, Kerr, Kisher, Langster, Lewis, McDaniel, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Ramsey, Rigsby, Rinks, Ritchie, Roach, Sharp, Shirley, Stamps, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, --73.

Representatives present and not voting were: Bragg, Deberry L, Fowlkes, Head, Jackson, Kernell, McDonald, Mr. Speaker Naifeh -- 8.

Amendment No. 3 was adopted.

Rep. Gunnels moved that Amendment No. 4 be withdrawn, which motion prevailed.

Rep. Ramsey moved that Amendment No. 5 be withdrawn, which motion prevailed.

Rep. Jackson moved that Amendment No. 6 be withdrawn, which motion prevailed.

Rep. Jackson moved the previous question, which motion prevailed.

Rep. Rhinehart moved that **Senate Bill No. 95**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	.85
Noes. . . . .	.14

Representatives voting aye were: Armstrong, Arriola, Bell, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, Deberry J, Deberry L, Duer, Eckles, Fitzhugh, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Jones U (Shelby), Joyce, Kent, Kernell, Kisher, Langster, Lewis, McAfee, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Stamps, Stulce, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Mr. Speaker Naifeh -- 85.

Representatives voting no were: Beavers, Bird, Cantrell, Coffey, Dunn, Ford, Kerr, McDaniel, Peach, Ramsey, Sharp, Shirley, Towns, Wood -- 14.

A motion to reconsider was tabled.

**\*House Bill No. 683** -- Highways, Roads and Bridges - Requires county highway departments to be responsible for all road signs in county; county legislative body to annually appropriate sufficient funds. Amends TCA Title 54. by \*Rhinehart (SB1614 by \*Elsea).

Rep. Rhinehart moved that House Bill No. 683 be passed on third and final consideration.

Rep. Robinson moved adoption of Transportation Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 683 by deleting Section 1 in its entirety and by substituting the following as a new Section 1:

SECTION 1. Tennessee Code Annotated, Title 54, is amended by adding the following new section to be appropriately designated:

Section \_\_\_\_\_. A county legislative body is authorized to make annual appropriations for labor and materials to erect and replace road name signs along county highways. An emergency communications district may also provide funding for such signs. The county highway department shall be responsible for erection and replacement of road signs with funds provided by the county legislative body or an emergency communications district.

On motion, Amendment No. 1 was adopted.

Rep. Rhinehart moved that **House Bill No. 683**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0
Present and not voting. . . . .	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Davidson, Davis, Deberry J, Deberry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Union), Williams (Williamson), Windle, Wunningham, Wood, Mr. Speaker Naifeh -- 96.

Representatives present and not voting were: Curtiss -- 1.

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from present and not voting to aye on House Bill No. 683 and have this statement entered in the Journal: Rep(s). Brooks.

**REGULAR CALENDAR, CONTINUED**

**House Bill No. 287** -- Local Government, General - Declares human resource agency to be body politic for public and governmental purpose. Amends TCA 13-26-105. by \*Rhinehart (\*SB281 by \* Rochelle).

**CHAIR TO DEBERRY**

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

**REGULAR CALENDAR, CONTINUED**

Rep. Rhinehart moved that **House Bill No. 287** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	0
Present and not voting. . . . .	3

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Bragg, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, Deberry J, Deberry L, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Boyer, Brooks, Duer -- 3.

A motion to reconsider was tabled.



**House Bill No. 948** -- Highways, Roads and Bridges - Authorizes chief administrative officer of county highway department to execute contracts between department and state DOT, after receiving approval of legislative body or county highway commission; contracts do not require signature of county official other than such chief administrative officer. Amends TCA Title 54, Chapter 7, Part 1. by \*Rhinehart (\*SB1007 by \*Hamilton).

Rep. Rhinehart moved that House Bill No. 948 be passed on third and final consideration.

Rep. Jones R (Shelby) moved adoption of State and Local Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 948 by deleting in its entirety the amendatory language of Section 1, and by substituting instead the following language:

There is hereby created a presumption of law that the chief administrative officer of each county highway department is authorized to sign agreements with the state department of transportation on behalf of the county. Once an agreement is executed by the chief administrative officer of the county highway department for any county of the state, the agreement shall be fully binding upon the applicable county. Such presumption of law may only be overcome by the provision of notice by the county legislative body that the chief administrative officer of the county highway department does not have the authority to execute such agreements on behalf of the county. The receipt of such notice must be acknowledged by the state department of transportation in order to overcome the presumption of law set forth above.

On motion, Amendment No. 1 was adopted.

Rep. Rhinehart moved that **House Bill No. 948**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, Deberry J, Deberry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**House Bill No. 341** -- Campaigns - Requires disclosure of occupation and employer of campaign contributors. Amends TCA Title 2, Chapter 10, Part 1. by \*Kisber (\*SB29 by \*Cohen).

On motion, Rep. Kisber moved that House Bill No. 341 be reset to the Calendar on March 29, 1995 , which motion prevailed.

**\*House Bill No. 88** -- Lobbying, Lobbyists - Enacts "Public Service Commission Lobbying Reform Act of 1995." Amends TCA Title 3, Chapter 6. by \*Kisber, \*Byrd, \*Rinks, \*Hargrove, \*Naifeh, \*DeBerry L, \*Ridgeway, \*Cole (Dyer), \*Lewis, \*Pinion, \*West, \*Turner (Hamilton), \*Bell, \*Fitzhugh, \*McDonald, \*White, \*Purcell, \*Brown, \*Herron, \*McMillan, \*Chumney, \*Haley, \*Tindell, \*Clabough, \*Beavers, \*Sharp, \*Ramsey, \*Ford S, \*Cantrell, \*McDaniel, \*Williams (Union), \*Patton, \*Bittle, \*Stamps, \*Burchett, \*Whitson (SB78 by \*Cooper, \*Cohen, \*Springer, \*O'Brien, \*Haynes, \*Gilbert).

Rep. Kisber moved that **House Bill No. 88** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .98  
Noes. . . . .0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, Deberry J, Deberry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Jones U (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

**\*House Bill No. 38** -- Motor Vehicles, Titling and Registration - Removes \$25.00 additional fee for firefighters' license plates; requires that such plates be embossed. Amends TCA Title 55, Chapter 4, Part 2. by \*Stulce, \*Williams (Williamson), \*Rigsby, \*Lewis, \*Pinion, \*Burchett, \*Davis (SB140 by \*Crutchfield).

Rep. Stulce moved that House Bill No. 38 be passed on third and final consideration.

Rep. Ridgeway moved the previous question, which motion prevailed by the following vote:

Ayes . . . . .68  
 Noes . . . . .21

Representatives voting aye were: Armstrong, Arriola, Bell, Bittle, Bragg, Brown, Buck, Burchett, Cantrell, Chumney, Cole (Carter), Cross, Curtiss, Davidson, Davis, Deberry L, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Haley, Halteman Harwell, Hargrove, Head, Herron, Hicks, Huskey, Jackson, Jones S, Kent, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Stamps, Tindell, Turner (Hamilton), Turner (Shelby), West, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Mr. Speaker Naifeh -- 68.

Representatives voting no were: Beavers, Bird, Bowers, Boyer, Brooks, Callicott, Clabough, Coffey, Gunnels, Hassell, Jones U (Shelby), Joyce, Kernell, Kerr, Ramsey, Robinson, Sharp, Shirley, Venable, Westmoreland, Wood -- 21.

Rep. Stulce moved that **House Bill No. 38** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .91  
 Noes . . . . .2  
 Present not voting . . . . .2

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Boyer, Bragg, Brown, Buck, Burchett, Byrd, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cross, Curtiss, Davidson, Davis, Deberry J, Deberry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

Representatives voting no were: Bowers, Callicott -- 2.

Representatives present not voting were: Brooks, Miller -- 2.

A motion to reconsider was tabled.

**House Bill No. 153** -- Motor Vehicles, Titling and Registration - Adds vehicles that transport "coal ash" to category of vehicles that transport certain materials and are permitted to register as either

Class 9 or Class 10 vehicles, according to size. Amends TCA 55-4-124. by \*Stulce, \*Rhinehart (\*SB142 by \*Crutchfield).

Rep. Stulce moved that **House Bill No. 153** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	97
Noes. . . . .	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, Deberry J, Deberry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones S, Jones U (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

#### CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

#### UNFINISHED BUSINESS

##### RULES SUSPENDED

Rep. McMillan moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 88 out of order, which motion prevailed.

**Senate Joint Resolution No. 88** -- Memorials, Professional Achievement - Savage Zinc, Inc., 1994 Industrial Conservationists of the Year. by \*Rice.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. McMillan, the resolution was concurred in.

A motion to reconsider was tabled.

##### RULES SUSPENDED

Rep. Jones R (Shelby) moved that the rules be suspended for the purpose of introducing House Resolution No. 25 out of order, which motion prevailed.

**House Resolution No. 25** -- Memorials, Recognition and Thanks - Dr. Leonard L. Barnes, Washington Chapel CME Church. by \*Jones R (Shelby).

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Jones R (Shelby), the resolution was adopted.

A motion to reconsider was tabled.

#### **RULES SUSPENDED**

Rep. Bittle moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 141 out of order, which motion prevailed.

**House Joint Resolution No. 141** -- Naming and Designating - "Mitchell W. Stout Day," March 12, 1995. by \*Bittle.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Bittle, the resolution was adopted.

A motion to reconsider was tabled.

#### **BILLS WITHDRAWN**

On motion of Rep. Eckles, **House Bill No. 698** was recalled from the Education Committee and withdrawn from the House.

On motion of Rep. Eckles, **House Bill No. 1605** was recalled from the State and Local Government Committee and withdrawn from the House.

On motion of Rep. Eckles, **House Joint Resolution No. 21** was recalled from the State and Local Government Committee and withdrawn from the House.

On motion of Rep. Eckles, **House Joint Resolution No. 64** was recalled from the Calendar and Rules Committee and withdrawn from the House.

#### **RULES SUSPENDED**

Rep. Brooks moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 145 out of order, which motion prevailed.

**House Joint Resolution No. 145** -- Memorials, Recognition and Thanks - Dr. Carole Hardeman and Human Relations Symposium. by \*Brooks.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Brooks, the resolution was adopted.

A motion to reconsider was tabled.

**SPONSORS ADDED**

Under Rule No. 43, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1: Rep(s). Cole (Dyer) as prime sponsor(s).  
House Bill No. 89 : Rep(s). Jones S as prime sponsor(s).  
House Bill No. 90 : Rep(s). Jones S as prime sponsor(s).  
House Bill No. 158: Rep(s). Hassell, Kisber, Brooks and Turner (Shelby) as prime sponsor(s).  
House Bill No. 566: Rep(s). Cole (Dyer) as prime sponsor(s).  
House Bill No. 634: Rep(s). Rinks as prime sponsor(s).  
House Bill No. 651: Rep(s). Kisber as prime sponsor(s).  
House Bill No. 856: Rep(s). Burchett, Dunn, Tindell, Boyer, Armstrong and Bittle as prime sponsor(s).  
House Bill No. 890: Rep(s). Jackson as prime sponsor(s).  
House Bill No. 901: Rep(s). DeBerry L as prime sponsor(s).  
House Bill No. 906: Rep(s). Byrd as prime sponsor(s).  
House Bill No. 923: Rep(s). Phillips as prime sponsor(s).  
House Bill No. 1619: Rep(s). Cole (Dyer) as prime sponsor(s).  
House Bill No. 1700: Rep(s). Walley as prime sponsor(s).  
House Bill No. 1719: Rep(s). Ridgeway, Miller, DeBerry L, Rinks and Armstrong as prime sponsor(s).

**REQUEST TO BE ADDED AS SPONSOR**

The following member(s) requested to add their name(s) as sponsor(s) as indicated below, the prime sponsor having agreed to such addition. Sponsorship could not be granted since the request was made after passage/adoption of said bill/resolution:

House Bill(s) No(s). 18: Rep(s). Langster.  
House Bill(s) No(s). 132: Rep(s). Langster.

**MESSAGE FROM THE GOVERNOR  
March 8, 1995**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 1135; with his approval.  
HARDY MAYS, Counsel to the Governor.

**ENGROSSED BILLS**

**March 8, 1995**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 39, 149, 161, 297 and 1146; also, House Joint Resolution(s) No(s). 20 and 134.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENGROSSED BILLS**

**March 8, 1995**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 287.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENGROSSED BILLS**

**March 8, 1995**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 153.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENGROSSED BILLS**

**March 8, 1995**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 38 and 683; also, House Joint Resolution(s) No(s). 141 and 145.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**March 8, 1995**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 88; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**ENGROSSED BILLS**

**March 8, 1995**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 88 and 948.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**March 8, 1995**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 897; substituted for the Senate Bill on the same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**March 8, 1995**

WEDNESDAY, MARCH 8, 1995 -- SEVENTEENTH LEGISLATIVE DAY

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s).153, 287, 357 and 1131; substituted for the Senate Bill on the same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**SIGNED**

**March 8, 1995**

The Speaker signed the following: Senate Joint Resolution(s) No(s). 88.

**MESSAGE FROM THE SENATE**

**March 8, 1995**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 251; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**March 8, 1995**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 485, 892, 1174, 1240 and 1275; also House Joint Resolution(s) No(s). 92, 93, 94, 100, 101, 102, 103, 104, 105, 112 and 122; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

**March 8, 1995**

The following bill(s) have been transmitted to the Governor for his action: House Bill(s) No(s). 485, 892, 1174, 1240 and 1275; also House Joint Resolution(s) No(s). 92, 93, 94, 100, 101, 102, 103, 104, 105, 112 and 122.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**March 8, 1995**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 225; substituted for the Senate Bill on the same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**March 8, 1995**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 19, 51, 186, 197, 453, 537, 580, 587, 600, 621, 748, 791, 923, 986, 1008, 1233, 1244, 1296, 1315, 1521, 1613 and 1823; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

\*Senate Bill No. 19 -- Education -- Grants children serving as pages for general assembly during school year excused absences and



credited as present for days missed while serving. by \*Person,  
\*Leatherwood, \*Cohen.

**\*Senate Bill No. 51** -- Education, Higher -- Adds anthropologist from Middle Tennessee State University to archaeology advisory council. Amends TCA Title 11, Chapter 6. by \*Womack, \*Kyle.

**\*Senate Bill No. 186** -- Sunset Laws - Department of revenue, June 30, 2003 - Amends TCA Title 4, Chapters 3, 29. by \*Haynes.

**\*Senate Bill No. 197** -- Highway Signs - "Private Leslie P. Bottoms Memorial Highway," "J.W. Morris Memorial Bridge" and "Jimmy Ray Orr Memorial Bridge," S.R. 103, Dyer County. by \*Hamilton.

**\*Senate Bill No. 453** -- Recreation - Enacts "Tennessee Vacation Club Act of 1995." Amends TCA Title 66, Chapter 32. by \*Koella.

**Senate Bill No. 537** -- Gas, Petroleum Products, Volatile Oils - Revises financial responsibility requirements of owner/operator under Tennessee Petroleum Underground Storage Tank Act. Amends TCA Title 68, Chapter 215, Part 1. by \*Wallace.

**\*Senate Bill No. 580** -- Highway Signs - "Governor Isham G. Harris Highway," SR 114, Henry County. by \*Hamilton.

**Senate Bill No. 587** -- Handicapped Persons - Requires department of safety to maintain computer records of issuance of parking placards and license plates to disabled persons in order to assist law enforcement officers. Amends TCA Title 55. by \*Henry, \*McNally.

**\*Senate Bill No. 600** -- Election Laws - Requires voter registration list and other information such as voter history to be available for purchase at price not to exceed cost of production; requires state election commission to establish uniform cost; authorizes county election commission to petition state election commission and be granted increase if costs exceeds rate established. Amends TCA 2-2-138. by \*O'Brien, \*Haynes, \*Crutchfield, \*Kyle, \*Dixon, \*Springer, \*Atchley, \*Elsea, \*Harper, \*Wallace, \*Burks, \*Henry, \*Crowe.

**\*Senate Bill No. 621** -- Attorneys at Law - Prohibits attorneys from contacting injured persons within 30 days of date of injury for purpose of solicitation; violation is Class C misdemeanor. Amends TCA Title 23, Chapter 3, Part 1. by \*Jordan, \*McNally, \*Gilbert, \*Person, \*Miller J, \*Atchley, \*Holcomb, \*Carter, \*Hau, \*Wright, \*Springer, \*Rice, \*Fowler, \*Cooper, \*Elsea, \*Dixon, \*Crutchfield, \*Burks.

**\*Senate Bill No. 748** -- Election Laws - Allows county election commissions to maintain absentee voting records electronically instead of in notebook binders. Amends TCA Section 2-6-301. by \*Harper, \*Rochelle, \*Haynes, \*Henry.

**\*Senate Bill No. 791** -- Alcoholic Beverages - Expands hotel authority to make gifts to registered guests of alcoholic beverages other than present authority for only wine. Amends TCA Section 57-4-203. by \*Haynes.

**\*Senate Bill No. 923 -- Regional Authorities -** Provides for selection of regional planning commission for planning region consisting of single county. Amends TCA Section 13-3-101. by \*Womack.

**\*Senate Bill No. 986 -- Parks, Natural Areas Preservation -** Removes right of persons over 65 to play golf for free on Mondays on state park courses operated by private management company or municipal or county government with direct financial risk in operations of course. Amends TCA Title 11, Chapter 3, Part 1. by \*Wilder.

**\*Senate Bill No. 1008 -- Highways, Roads and Bridges -** Designates U.S. 641 in Henry County as Blue Star Memorial Highway. Amends TCA Title 54, Chapter 5, Part 10. by \*Hamilton.

**\*Senate Bill No. 1233 -- Water Pollution -** Allows members of the water quality control board to serve more than two consecutive terms. Amends TCA Section 69-3-104(9). by \*Jordan.

**\*Senate Bill No. 1244 -- District Attorneys -** Authorizes additional criminal investigator for 8th judicial district. Amends TCA Title 16, Chapter 2, Part 5. by \*O'Brien.

**\*Senate Bill No. 1296 -- Alcoholic Beverage Commission -** Authorizes retired alcoholic beverage commission agents to retain service weapons in recognition of such agents' years of public service. Amends TCA Section 38-6-105. by \*Burks.

**\*Senate Bill No. 1315 -- Tort Liability -** Enacts "Tennessee Oil Spill Cleanup and Environmental Preservation Act of 1995." by \*Cohen, \*McNally.

**\*Senate Bill No. 1521 -- Marriage -** Authorizes former governors and speakers of house of representatives and senate to solemnize marriages. Amends TCA Section 36-3-301. by \*O'Brien.

**\*Senate Bill No. 1613 -- School Districts, Special -** Authorizes Tenth Special School District of Wilson County to issue bonds in an amount not to exceed \$5.5 million; continues tax levy to retire bonds, also authorizes use of local sales tax and BEP capital outlay funds to fund bonds. Amends Chapter 330, Acts of 1901. by \*Rochelle.

**Senate Bill No. 1823 -- Weakley County -** Subject to local approval, revises provisions relative to county highway commission, county highway supervisor, county highway department and road laws. Amends Chapter 640, Private Acts of 1949, as amended. by \*Hamilton.

#### ROLL CALL

The roll call was taken with the following results:

Present . . . . . 98

Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, Deberry J, Deberry L, Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones R (Shelby), Jones S, Jones U (Shelby), Joyce,

Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Riggsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

RECESS MOTION

On motion of Rep. Purcell, the House recessed until 9:00 a.m. on Thursday, March 9, 1995.